

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ADDICTION & DETOXIFICATION
INSTITUTE, LLC, a New Jersey
Limited Liability Corporation

Plaintiff,

v.

THOMAS C. YEE, MD, an individual,
d/b/a Las Vegas Rapid Detox,

Defendant.

Civil Action No.

**COMPLAINT;
DEMAND FOR JURY TRIAL**

COMPLAINT

This is a patent infringement case. Addiction & Detoxification Institute, LLC (“ADI”) for its complaint against Thomas C. Yee, M.D. d/b/a Las Vegas Rapid Detox (“Yee”) states and alleges as follows:

PARTIES, JURISDICTION, AND VENUE

Plaintiff ADI

1. Plaintiff ADI is a New Jersey Limited Liability Corporation with its principal place of business at One South Center Street, Suite 202, Merchantville, New Jersey.

Defendant Thomas C. Yee, M.D.

2. Defendant Thomas Yee, M.D. d/b/a Las Vegas Rapid Detox (“Yee”) is an individual, and a licensed medical doctor and anesthesiologist practicing addiction medicine, including opiate addiction detoxification practices and methods, and has places of business at La Jolla Medical Clinic for Rapid Opiate Detox, 1150 Silverado Street, La

Jolla, California 92037 (858) 367-5471 and Las Vegas Rapid Detox Medical Clinic and/or Las Vegas Rapid Detox, (877) 647-2177, having addresses at www.saferapiddetox.com, and www.rapiddextoxlasvegas.com, and also having a residence and/or place of business located at 1921 Realeza Ct., Suite 200, Rancho Oakey, Las Vegas, NV 89102 (702) 562-3590 and (702) 308-6353, and Pacific Anesthesia Consultants, 3100 W. Sahara Ave, Suite 209, Las Vegas, NV 89102 (702) 362-8961.

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. Accordingly, this Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has personal jurisdiction over Yee because, among other reasons, Yee regularly conducts business in this judicial district. Yee maintains at least the following websites, www.saferapiddetox.com, and www.rapiddextoxlasvegas.com, which citizens of Illinois access to be offered for sale and/or to purchase Yee's opiate addiction detoxification practices and methods and thus Yee through his web site(s) actively solicits customers or potential customers in Illinois for his opiate addiction detoxification practices and methods.

5. Venue is proper in this district under the provisions 28 U.S.C. §§ 1391(b) and (c), and 1400(b) because, among other reasons, Yee has conducted and continues to conduct regular and ongoing business in Illinois. Additionally, Yee has committed and continues to commit acts of direct and/or indirect infringement in this District by making, using, importing, offering for sale, and/or selling products by way of infringing opiate addiction detoxification practices and methods, and/or inducing others to perform same in Illinois that are claimed in ADI's patent, U.S. No. 5,789,411.

FACTUAL BACKGROUND

The Patent-in-Suit

6. On August 4, 1998, the United States Patent and Trademark Office duly issued United States Patent No. 4,789,411 (the “411 patent”), titled *Improvements to Rapid Opiate Detoxification*. A complete and authentic copy of the “411 patent is attached as Exhibit A.

COUNT I – PATENT INFRINGEMENT OF THE ‘411 PATENT

7. Plaintiff incorporates and realleges herein by paragraphs 1 through 6

8. Defendant Yee has had constructive notice of the ‘411 patent since it issued August 4, 1998.

9. Yee, together with his medical practices and medical staff, business associates and agents, offers to sell, sells, uses, and practices opiate addiction detoxification practices and methods through his web sites www.saferapiddetox.com, and www.rapiddetoxlasvegas.com, and medical facilities, offices and clinics and practices one or more of the claimed inventions of the ‘411 patent.

10. Yee has infringed and continues to infringe one or more claims of the ‘411 patent under 35 U.S.C. §271(a), either literally and/or under the doctrine of equivalents, by making, using, selling, and/or practicing methods encompassed in at least claim 1 of the ‘411 patent, including for example, by making, using, selling, offering for sale, opiate addiction detoxification practices and methods.

11. Third parties, collectively with Yee, including Yee’s medical staff and business associates and agents, have infringed, and continue to infringe one or more claims of the ‘411 patent under 35 U.S.C. §271(a), either literally or under the doctrine of

equivalents, by making, using, selling and/or offering for sale in the United States and/or importing into the United States practices and/or methods encompassed in at least claim 1 of the '411 patent, including for example, by making, using, selling, offering for sale, opiate addiction detoxification practices and methods.

12. Yee has had knowledge of the '411 patent and its infringement at least since the filing of this Complaint.

13. Yee has induced infringement, and continues to induce infringement, of one or more claims of the '411 patent under 35 U.S.C. §271(b). Yee actively, knowingly, and intentionally induced, and continues to actively, knowingly, and intentionally induce, infringement of at least claim 1 of the '411 patent by selling or otherwise offering to sell opiate addiction detoxification practices and methods, with the knowledge and specific intent that third parties will use opiate addiction detoxification practices and methods supplied by Yee to infringe the '411 patent; and with the knowledge and specific intent to encourage and facilitate in the infringement through the transmission of opiate addiction and detoxification practices and methods of promotional and marketing materials, supporting materials, instructions, product manuals, medical staff, and/or technical information related to opiate addiction detoxification practices and methods.

14. The infringement by Yee of the '411 patent injured and continues to harm ADI, and will cause irreparable injury and damage to ADI unless the Court enjoins Yee from infringing the '411 patent.

15. Yee's conduct in infringing the '411 patent renders this case exceptional within the meaning of 35 U.S.C. § 285.

PRAYER FOR RELIEF


WHEREFORE, ADI prays for the following judgment and relief:

- a. that Yee has infringed the '411 patent;
- b. that ADI is entitled to permanent injunction barring Yee and his respective agents, servants, officers, directors, employees, and all persons acting in concert with him, directly or indirectly, from infringing, inducing others to infringe, or contributing to the infringement of the '411 patent;
- c. that Yee shall account and pay to ADI the damages to which ADI is entitled as a consequence of Yee's infringement of the '411 patent;
- d. that Yee shall additionally account and pay to ADI the damages for the period of infringement of the '411 patent following the period of damages established by ADI at trial;
- e. that ADI is further entitled to pre-judgment and post-judgment interest;
- f. that this case is exceptional and that ADI is entitled to its reasonable attorney fees, costs, and expenses that it incurs prosecuting this action under 35 U.S.C. § 285; and
- g. any other award or relief that is just and equitable.

DEMAND FOR JURY TRIAL

A jury trial is demanded on all issues so triable, pursuant to Rule 38 of the Federal Rules of Civil Procedure

Respectfully submitted,
ADDICTION & DETOXIFICATION
INSTITUTE, LLC

By 
Thomas K. Mirabile
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on July 23rd, 2014, pursuant to Federal Rules of Civil Procedure Rule 5 and the Northern District of Illinois' General Order on Electronic Case Filing, I caused the following documents:

**FIRST COMPLAINT
EXHIBIT A**

to be filed electronically with the Clerk of the Court through ECF, and that Summons will be served to Thomas Yee as follows:

Thomas Yee

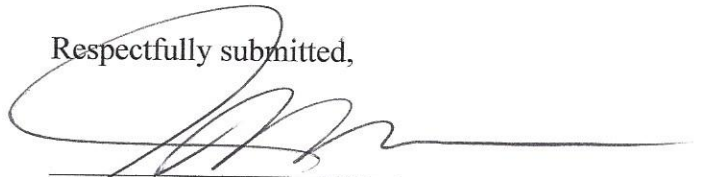
Las Vegas Rapid Detox Medical Clinic and/or Las Vegas Rapid Detox.
1921 Realeza Ct., Suite 200, Rancho Oakey, Las Vegas,
NV 89102
(702) 562-3590 and (702) 308-6353

Thomas Yee

Pacific Anesthesia Consultants
3100 W. Sahara Ave, Suite 209, Las Vegas,
NV 89102 (702) 362-8961

Dated: July 23 2014

Respectfully submitted,



Thomas K. Mirabile
Attorney for Plaintiff

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